Requirement:

Groups I-V, claims 1 and 15, drawn to a BSG polynucleotide, wherein the SG is SEQ ID NO:1, 2, 3, 4, or 5, respectively, classified in class 536, subclass 23.1;

Groups VI-X, claims 1, 2 and 15, drawn to a BSG polypeptide, wherein the BSG is encoded by SEQ ID NO: 1, 2, 3, 4, or 5, respectively, classified in class 530, subclass 350;

Groups XI-XV, claims 3-7, drawn to methods for diagnosing the presence, metastases and monitoring of breast cancer comprising comparing BSG levels, wherein the BSG comprises, SEQ ID NO:1, 2, 3, 4 or 5, respectively, classified in class 424, subclass 9.1;

Groups XVI-XX, claims 3-7, drawn to methods for diagnosing the presence, metastases and monitoring of breast cancer comprising comparing BSG levels, wherein the BSG comprises a polypeptide encoded by SEQ ID NO:1, 2, 3, 4 or 5, respectively, classified in class 435, subclass 7.21;

Groups XXI-XXV, claim 8, drawn to an antibody which binds a polypeptide encoded by SEQ ID NO:1, 2, 3, 4, or 5, respectively, classified in class 530, subclass 387.1;

Groups XXVI-XXX, claims 10 and 11, drawn to a method of imaging breast cancer in a patient comprising administering to

the patient an antibody that specifically binds to a polypeptide encoded by SEQ ID NO:1, 2, 3, 4 or 5, respectively, classified in class 424, subclass 1.11;

Groups XXXI-XXXV, claim 12, drawn to a method of treating breast cancer comprising administering a compound which downregulates expression or activity of a BSG polynucleotide of SEQ ID NO: 1, 2, 3, 4, or 5, respectively, classified in class 536, subclass 24.5;

Groups XXXVI-XL, claims 12-14, drawn to a method of treating breast cancer comprising administering a BSG polypeptide encoding SEQ ID NO:1, 2, 3, 4 or 5, respectively, classified in class 514, subclass 2.

The Examiner suggests that the claims are distinct, each from the other. Specifically, with respect to Groups I-X and XXI-XXV, the Examiner suggests that they are structurally and functionally different products which are made by different methods and have different uses. With respect to Groups XI-XX and XXVI-XL, the Examiner suggests that these are different methods with different objectives, steps, parameters and reagents used. With respect to Groups I-V and XI-XV, XXXI-XXXV, the Examiner has acknowledged their relatedness as product and process of use, but suggests that polynucleotides of Groups I-V

can be used in any of the methods of Groups XI-XV or XXXI-XXXV. The Examiner has also acknowledged the relatedness of Groups VI-X and XVI-XX and XXXVI-XXL as product and process of use, but suggests that the polypeptides of Groups VI-X can be used in any of the method Groups of XVI-XX and XXXVI-XL. Finally, the Examiner has acknowledged the relatedness of invention XXI-XXV and XXVI-XXX as product and process of use, but suggests that the antibodies of Groups XXI-XXV can be used in any of the methods of Groups XXVI-XXX.

Applicants respectfully traverse this Restriction Requirement.

MPEP §803 provides two criteria which must be met for a restriction requirement to be proper. The first is that the inventions be independent or distinct. The second is that there would be a serious burden on the Examiner if the restriction is not required. A proper search of the prior art relating to any of the polynucleotide sequences as set forth in Groups I-V, should also reveal art relating to polypeptides encoded thereby as set forth in Groups VI-X, antibodies against such polypeptides as set forth in Groups XXI-XXV and methods for their use as set forth in Groups XI-XX, and XXVI-XL. Thus, it does not appear that a serious burden would be placed upon the Examiner if this

restriction were not made.

Accordingly, since this Restriction Requirement does not meet both criteria as set forth in MPEP § 803 to be proper, it is respectfully requested that this Restriction Requirement be withdrawn.

However, in an earnest effort to be completely responsive, Applicants elect to prosecute Group XIV, claims 3-7 drawn to methods for diagnosing the presence, metastases and monitoring of breast cancer comprising comparing BSG levels, wherein the BSG comprises, SEQ ID NO:4, with traverse.

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

Respectfully submitted,

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